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11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT CALIFORNIA
14 SAN FRANCISCO DIVISION

15 X.COMMERCE, INC. D/B/A MAGENTO,
16 INC.,

17 Plaintiff,

18 vs.

19 EXPRESS MOBILE, INC.,

20 Defendant.
21

Case No.: 3:17-cv-02605-RS

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23 **STIPULATION AND [PROPOSED]**
24 **ORDER MODIFYING CASE**
25 **MANAGEMENT SCHEDULING ORDER**

26
27 IT IS HEREBY STIPULATED by and between Plaintiff X.Commerce, Inc. d/b/a/ Magento,
28 Inc. ("Magento") and Defendant Express Mobile, Inc. ("Express Mobile") as follows:

WHEREAS, the Court entered a Case Management Scheduling Order on October 26, 2017
(Dkt. 44);

WHEREAS, the parties have agreed that it would be mutually beneficial to make some
minor modifications to the case schedule in light of the holidays, including (a) extending Express

Mobile's deadline to respond to Magento's first set of discovery requests to January 4, 2018; (b) extending Magento's deadline to serve its Patent L.R. 3-3 and 3-4 Invalidity Contentions and Document Production; and (c) extending the deadlines under Patent L.R. 4-1 and 4-2 by one week;

WHEREAS, there have been no prior schedule modifications in this case and the requested extensions will not affect any other scheduled dates or events in this action;

NOW, THEREFORE, pursuant to Civil Local Rule 6-2, the parties hereby stipulate to the following modifications to the Case Management Scheduling Order:

Event	Current Date	New Date
Magento serves Invalidity Contentions and Document Production (LPR 3-3, 3-4)	1/05/2018	1/18/2018
Exchange of proposed terms for claim construction (LPR 4-1)	1/19/2018	1/26/2018
Exchange of proposed claim constructions and extrinsic evidence (LPR 4-2)	2/09/2018	2/16/2018
Express Mobile serves Damages Contentions (LPR 3-8)	2/26/2018	No change
Joint Claim Construction and Prehearing Statement (LPR 4-3)	3/06/2018	No change
Magento serves Responsive Damages Contentions (LPR 3-9)	3/28/2018	No change
Completion of claim construction discovery (LPR 4-4)	4/05/2018	No change
Express Mobile files Opening Claim Construction Brief (LPR 4-5(a))	4/20/2018	No change
Magento files Responsive Claim Construction Brief (LPR 4-5(b))	5/04/2018	No change
Express Mobile files Reply Claim Construction Brief (LPR 4-5(c))	5/11/2018	No change

Parties will exchange tutorial materials and meet and confer regarding coordination of tutorial presentation.	5/16/2018	No change
Claim Construction hearing (beginning with one hour tutorial)	5/23/2018 at 9:30 am	No change

IT IS SO STIPULATED.

Respectfully submitted,

Dated: December 13, 2017

By: /s/ Irene Yang
Irene Yang

Attorneys for Plaintiff MAGENTO, INC.

Dated: December 13, 2017

By: /s/ Robert Dean Kiddie, Jr.
Robert Dean Kiddie, Jr.

Attorneys for Defendant EXPRESS MOBILE, INC.

ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that concurrence in the filing of this document has been obtained from the other signatory above.

Dated: December 13, 2017

By: /s/ Irene Yang
Irene Yang

Attorneys for Plaintiff MAGENTO, INC.

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 12/14/17



Honorable Richard Seeborg
United States District Judge